

PROTECTING AND RESTORING LAKE OF THE WOODS: A MULTI-AGENCY APPROACH

Background:

Lake of the Woods (LOW) is an international water body located on the U.S. and Canadian border bounded by Minnesota, the Red Lake Reservation, Manitoba and Ontario. The lake covers 950,400 acres (384,613 hectares) with approximately 3% of the total lake surface in Manitoba, 31% in Minnesota and the remaining 66% in Ontario.

The watershed – LOW and Rainy River Basins – is approximately 27,200 square miles (70,448 square Kilometers) with 11,152 square miles (41%) in the United States and 16,048 square miles (59%) in Canada. Rainy River is the largest tributary to LOW contributing over 70% of the inflow to LOW.

LOW is being impacted by enrichment of nutrients. Over-enrichment and climate change are thought to be key factors causing extensive blooms of algae, which are at times toxic. This impairs water quality and the lake's value for recreation, drinking water, and fish habitat. The southern portion of the basin is also experiencing severe erosion. Recently (spring, 2008), Minnesota listed the southern portion of the lake as "impaired" for phosphorus and algae. Heightened awareness of the potential impacts of these issues has triggered stakeholder interest in finding a collective solution.

To effectively begin to address international water quality issues on LOW, a multi-agency Working Arrangement has been proposed and accepted. It will provide a framework within which partners and stakeholders can actively engage in coordinated activities to help protect and restore water quality in LOW. The continuation of this Arrangement, should a subsequent formal international management framework be established, will be at the discretion of the individual partner agencies listed in the Arrangement below.

MULTI-AGENCY WORKING ARRANGEMENT

dated the 22 day of May, 2009

This Working Arrangement will be among, but not limited to, the following organizations: Environment Canada, Lake of the Woods Water Sustainability Foundation, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, Ontario Ministry of the Environment, Ontario Ministry of Natural Resources, Manitoba Water Stewardship, Red Lake Band of Chippewa Indians and United States Environmental Protection Agency (the Group).

1. Purpose of the Arrangement

The purpose of this arrangement is to foster trans-jurisdictional coordination and collaboration on science and/or management activities to enhance/restore water quality in the LOW Watershed (LOW and Rainy River Basins), according to each agency's respective mission. The focus will be on:

- Factors influencing algae blooms on LOW
- Nutrient loading to the Winnipeg River, Lake Winnipeg and LOW
- Shoreline erosion issues in the south basin of LOW
- Science and support for the development of a LOW Water Sustainability Plan

2. Objectives

To establish information exchange and joint cooperative mechanisms in areas related to transboundary environmental impacts between Ontario, Manitoba, Canada, Minnesota, the Red Lake Band of Chippewa Indians and the United States by:

- Promoting sharing of information and expertise on transboundary environmental impacts;
- Where applicable, defining joint projects and actions to mitigate or prevent transboundary pollution;
- Where appropriate, jointly implementing measures to prevent transboundary environmental impacts;
- Sharing information in the event of any incident of natural or accidental origin that may have the potential to cause adverse transboundary environmental impacts;
- Sharing scientific expertise about the natural environment, biodiversity and other relevant information and data of the watershed with a view toward encouraging the sustainable development of environmental resources;
- Sharing information on major undertakings proposed in the LOW Watershed; and
- Implementing consultation and coordination mechanisms to promote cooperation and dialogue provided for in this Working Arrangement among members of the Group.

3. Implementation – Management

Each signatory to the Arrangement intends to designate a person as liaison coordinator for the implementation of the terms of this Working Arrangement. Collectively, the coordinators will become the Working Group responsible for implementation of the Arrangement. The Year One Workplan is described in Appendix A.

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It is anticipated that the Working Group will meet quarterly, in person or via teleconference, starting within 30 days of the signing of this Arrangement. One of these meetings will be held during the annual Lake of the Woods International Water Quality Forum.

4. Costs

Each member of the Group will be responsible for its own internal costs that are incurred in the administration of this Working Arrangement. This Arrangement does not obligate the expenditure of funds by any signatory.

5. Amendments

The Group may, by consensus, make amendments to this Arrangement, which will require the revised Arrangement to be re-signed by each signatory.

The Work Plan (Appendix A) will commence on the date of signing of this Arrangement and will be reviewed and amended annually upon consensus of all liaisons to this Arrangement.

To ensure efficiency in dealing with common transboundary environmental issues, the Group may, by consensus, change the Workplan (Appendix A) at any time by an exchange of letters.

Additional members may be added to this Group by Consensus.

All participants in this Arrangement will endeavour to engage with First Nation communities within the watershed.

This Arrangement may, by consensus, be dissolved should the Group feel it has served its purpose.

Any signatory may withdraw from this Arrangement upon provision of written notice to each other signatory.

6. Non-binding Arrangement

The Signatories agree that this Arrangement does not constitute a binding legal agreement. This Arrangement does not create any right or benefit, substantive or procedural, enforceable by law or equity, rather, it expresses the intent of the signatories to work together, subject to the availability of appropriated funds and budget priorities, in a co-operative manner to avoid duplication of effort and for the common goal of protecting and restoring water quality in LOW.

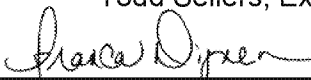
APPENDIX A YEAR ONE WORKPLAN

In Year One of the Workplan, members of the Working Group are expected to work towards:

- Coordinating and collaborating on sampling/monitoring and/or watershed planning activities throughout LOW and its tributaries;
- Sharing data from LOW and its tributaries;
- Exploring opportunities to geo-reference, map and share information;
- Investigate options to secure needed analytical support for LOW water samples and participate in inter-laboratory QA/QC studies to determine data comparability; and
- Develop a plan and an annual program to address the objectives set forth and oversee its implementation, with specific focus in the first year to:
 - Review and consider data gaps identified in the final State of the Basin Report (released March 2009, LOW Water Sustainability Foundation, MOE, MPCA) when developing a coordinated sampling/analyses program for LOW and its tributaries for field seasons of 2009 and 2010.
- Expand internal and external communication/outreach activities to better promote enhanced stewardship and stakeholder education/participation through:
 - Lake of the Woods Water Sustainability Foundation and MOE LOW Coordinator
 - Presentations at and participation in the Annual International LOW Water Quality Forum
- Seek to share information through the establishment of a common information portal to benefit all partners, decision makers and stakeholders.

Signed this 22 day of May, 2009.

Lake of the Woods Water Sustainability Foundation _____
Todd Sellers, Executive Director

Ontario Ministry of the Environment _____

Franca Dignem, Director, Northern Region

Ontario Ministry of the Environment _____
Jim Fry, District Manager, Thunder Bay/Kenora

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Rebecca Flood, Assistant Commissioner

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Suzanne Hanson, Duluth Regional Manager

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John Carey, Deputy General

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Dwight Williamson, Assistant Deputy Minister, Ecological
Services Division

Red Lake Band of Chippewa Indians _____
Floyd Jourdain, Jr., Chairman

U.S. Environmental Protection Agency _____
Bharat Mathur, Acting Regional Administrator,
Region 5

Minnesota Dept. of Natural Resources _____
Mike Carroll, Northwest Regional Director

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Larry Kramka, Assistant Commissioner for Operations

Ontario Ministry of Natural Resources _____
Andrew Applejohn, District Manager

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John Carey, Director General, Water Science & Technology Directorate *May 20/09*

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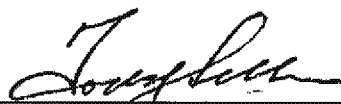
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Signed this _____ day of _____, 2009 at _____.

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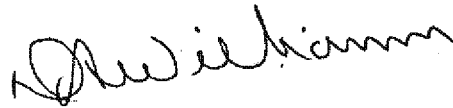
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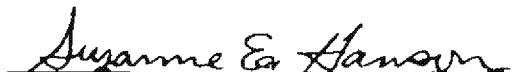
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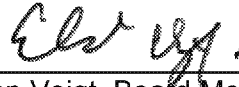
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Larry Kramka, Assistant Commissioner for Operations

Ontario Ministry of Natural Resources _____
Andrew Applejohn, District Manager

Signed this 17th day of September, 2013.

Koochiching Soil and Water Conservation District

A handwritten signature in black ink, appearing to read "Eldon Voigt", written over a horizontal line.

Eldon Voigt, Board Member